

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police – Mahaboob Nagar District – Sanction of Prosecution against Sri Balu Naik (A-2), PC 1483, Shadnagar Police Station, Mahaboob Nagar District now presently working in Devarakadra Police Station, Mahaboob Nagar District in Crime.No. 10/03 under sections 306, 324, 330, 343, 348, 201, 218, 193, 167 and 109 Indian Penal Code of Balanagar P.S Mahaboob Nagar District – Orders – Issued.

HOME (LEGAL-II) DEPARTMENT

G.O.Ms.No. 17

Dated: 20.1.2011

Read:

From Additional Director General of Police, CID, A.P., Hyderabad,
Lr.C.No. 2890/C5/2CID/2003, dated: 28.01.2010.

ORDER:

Whereas, Sri Balu Naik (A-2), PC 1483, Shadnagar, Mahaboob Nagar District and presently working in Devarakadra Police Station, Mahaboob Nagar District is a public servant within the meaning of section 21 of the Indian Penal Code, 1860 Central Act 45 of 1860 and he is a member of the police force charges maintenance of public order issued in G.O.Ms.No. 631, Home (Courts-B) Department, dt: 30.4.1974 and he is a public servant who is not removable from his office save by order and the sanction of the Government and as such governed by direction for prosecution of public servant as envisaged under section 197 Code of Criminal Procedure;

2. And whereas, it is reported by the Additional Director General of Police, Crime Investigation Department, Hyderabad, that Sri P.P. Ravi Kishore, Circle Inspector of Police, Shadnagar took Malide Narasimhulu @ Ibrahimipally Narasimhulu S/o Chennaiah, 35 yrs, Gindlapotlapalli and 2 others namely Madamoni Dasaratham and Kallem Sattaiah of Gundlapotlapalli village into illegal Custody on 5.1.03 and they were shifted frequently from Balanagar Police Station to Shadnagar Police Station for interrogation to extract confession of the murder case of Lambada women Gemini which is the subject matter of Cr.No. 2/03 under section 302, 379 Indian Penal Code of Balanagar P.S A-1 P.P.Ravi Kishore interrogated and tortured them in Balanagar and Shadnagar Police Stations and detained them till 13.1.03, M.Dasaratham and Kallem Sattaiah were let off. But P.P.Ravi Kishore (A-1) and other accused still detained the deceased M.Narasimhulu, tortured on the night of 13.01.03 to extract confession and caused injuries. As a result of prolonged wrongful confinement and torture, the deceased having disgusted on his life committed suicide by hanging in police custody in Balanagar Police Station on the early hours of 14.01.03. In order to screen the evidence, A-1 P.P. Ravi Kishore and other accused fabricated the records as if the deceased was arrested on 13.01.03 to over come illegal detention of the deceased. Sri Balu Naik (A-2), PC 1483, Shadnagar Police Station, Mahaboob Nagar Dist is presently working in Devarakadra Police Station, Mahaboob Nagar District. He worked as gunman of A-1, P.P.Ravi Kishore, Inspector of Police, Shadnagar. Being in police department in a responsible position Sri Balu Naik (A-2) abated the offences of illegal detention and wrongful confinement to extract confession committed by A-1. thus there is sufficient material on record to charge the accused, Sri Balu Naik (A-2).

- (a) Under sections 109 read with 343 and 348 of the Indian Penal Code for abating the offence of illegal detention and wrongful confinement to extract a confession committed by A-1.
- (b) Under section 306 of the Indian Penal Code for abetment of suicide committed by the deceased Malide Narasimhulu.
- (c) Under section 324 of the Indian Penal Code for causing hurt to the deceased Narasimhulu.

Cont....

3. And whereas, the investigation conducted by the Crime Investigation Department, Hyderabad in Cr.No. 10/2003 of Bala Nagar Police Station revealed that Sri Balu Naik (A-2), PC 1483, Shadnagar Police Station, Mahaboob Nagar District, now presently working in Devarakadra Police Station, Mahaboob Nagar District committed the offences punishable under sections 306, 324 and 109 read with 343 and 348 Indian Penal Code.

4. And whereas, the Government of Andhra Pradesh, after careful examination of the various documentary evidence and the report of the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad placed before them, considered that the above said officer be prosecuted in a court of Law for the above said offences or any other offences relating to the incident.

5. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 197 of the code of Criminal Procedure, 1973 (Central Act 2 of 1974) read with Notification – II issued in G.O.Ms.No. 631, Home (Courts-B) Department, dt: 30th April 1974, the Government of Andhra Pradesh, Hyderabad, hereby sanction for the prosecution of Sri Balu Naik (A-2), PC 1483, Shadnagar Police Station, Mahaboob Nagar District and presently working in Devarakadra Police Station, Mahaboob Nagar District for the said offences punishable under sections 109, 306, 324, 343, and 348 of the Indian Penal Code, 1860 (Central Act 45 of 1860) and or any other provisions of law in respect of the aforesaid acts while acting or purporting to act in the discharge of his official duties and for taking cognizance of the offence in the court of competent jurisdiction.

6. The Government of Andhra Pradesh, further in exercise of the powers conferred by sub-section (4) of section 197 of the Criminal code of Procedure, 1973 (Central act 2 of 1974) hereby authorizes the Inspector of Police Crime Investigation Department, Regional Crime Investigation Unit, Kurnool to prosecute the above mentioned accused for the aforesaid offences and for taking cognizance of the said offences by a competent court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Additional Director General of Police,
Crime Investigation Department, Andhra Pradesh, Hyderabad

Copy to:

The Director General of Police, Andhra Pradesh, Hyderabad.
Law (E) Department.
The P.S to Prl.Secy, Home.
C.No.30176/Legal.II/A1/2005
SF/SC

//Forwarded By Order//

Section Officer